UNITED STATES DISTRICT COURT WESTERN DISTRICT OF OKLAHOMA

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IN RE CHESAPEAKE ENERGY) Lead Case No. CIV-11-985-M
) Leau Case No. CIV-11-903-WI
SHAREHOLDER DERIVATIVE)
LITIGATION) Relating to:
) ALL ACTIONS
)

NOTICE OF RELATED CASES

Pursuant to LCvR 3.7, Plaintiffs hereby give notice to the Court of two new cases that involve common issues of fact and grow out of the same transactions as those Plaintiffs would assert in their proposed Consolidated Amended Shareholder Derivative Complaint for Breach of Fiduciary Duties, Waste of Corporate Assets, Unjust Enrichment and Violations of the Securities and Exchange Act [Dkt. #44, Ex.1] ("Proposed Complaint"), which seeks relief derivatively *on behalf of* Chesapeake Energy Corporation.

The first related action is *Erickson v. McClendon, et al.*, No. CIV-12-631-M, filed June 5, 2012, in this Court ("*Erickson* Action"). The *Erickson* is a shareholder derivative action and that alleges essentially the same facts, claims and theories as those in Plaintiffs' Proposed Complaint. Consistent with Plaintiffs' prior briefing, including the consolidated response [Dkt. #56] to the various motions to consolidate and appoint lead

counsel filed in Related Actions,¹ Plaintiffs respectfully submit that the *Ericson* Action, along with the other Related Actions, should be consolidated into this consolidated action pursuant to the Court's December 23, 2011 Order [Dkt. #39].

The second related action is *Operating Engineers Construction Industry and Miscellaneous Pension Fund v. McClendon, et al.*, No. CIV-12-640-L, filed June 5, 2012 ("*OECIMPF* Action"). The *OECIMPF* Action is a putative securities class action alleging violations of federal securities laws *against Chesapeake* and certain of its officers and directors. Because this class action involves different claims, legal standards, and questions of law than the derivative actions, Plaintiffs believe that it is generally ill-suited for consolidation with the derivative actions.

Respectfully submitted this 11th day of June, 2012.

ROBBINS UMEDA LLP

s/ Jay N. Razzouk JAY N. RAZZOUK

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¹ The Related Actions are: (i) *Deborah G. Mallow IRA SEP Inv. Plan v. McClendon, et al.*, No. CIV-12-436-M (W.D. Okla. filed Apr. 19, 2012); (ii) *Snyder v. McClendon, et al.*, No. CIV-12-437-M (W.D. Okla. filed Apr. 20, 2012); (iii) *Dolezal Family Ltd. P'ship v. McClendon, et al.*, No. CIV-12-477-M (W.D. Okla. filed Apr. 30, 2012); (iv) *Leonard v. McClendon, et al.*, No. CIV-12-479-M (W.D. Okla. filed Apr. 30, 2012); (v) *Shochat v. McClendon, et al.*, No. CIV-12-488-M (W.D. Okla. filed May 1, 2012); (vi) *David A. Kroll Emps.' Profit-Sharing Plan & Trust v. McClendon, et al.*, No. CIV-12-493-M (W.D. Okla. filed May 2, 2012); (vii) *Robaczynski v. McClendon, et al.*, No. CIV-12-501-M (W.D. Okla. filed May 3, 2012); (viii) *Spiegel v. McClendon, et al.*, No. CIV-12-505-M (W.D. Okla. filed May 3, 2012); (ix) *Rosengarten v. McClendon, et al.*, No. CIV-12-545-M (W.D. Okla. filed May 11, 2012); and (xi) *Gerber v. McClendon, et al.*, No. CIV-12-584-M (W.D. Okla. filed May 21, 2012).

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CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2012, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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I further certify that I served the attached document by U.S. Mail on the following:

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